

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

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4 ROBIN L. HILLGEN-RUIZ AND SHELLY D.
5 KROHN, TRUSTEE FOR THE CHAPTER 7
6 BANKRUPTCY ESTATE OF ROBIN L.
7 HILLGEN-RUIZ,

8 Plaintiffs,

9 v.

10 TLC CASINO ENTERPRISES, INC. a/k/a
11 FOUR QUEENS HOTEL & CASINO; FOUR
12 QUEENS, LLC d/b/a FOUR QUEENS
13 HOTEL & CASINO a Limited Liability
14 Company, DOES 1-10; and ROE
15 CORPORATIONS, COMPANIES AND/OR
16 PARTNERSHIPS 11-20, inclusive,

17 Defendants.

Case No. 2:14-cv-0437-APG-VCF

**ORDER ACCEPTING MAGISTRATE
JUDGE'S REPORT AND
RECOMMENDATION**

18 On August 15, 2014, Defendants filed a motion to compel arbitration and stay this
19 litigation. (Dkt. #15.) On September 12, Magistrate Judge Ferenbach entered his Report and
20 Recommendation recommending that the motion should be granted. (Dkt. #21.) Plaintiff filed an
21 Objection to the Report and Recommendation (Dkt. #22) and Defendants filed a Response (Dkt.
22 #23). Pursuant to Local Rule IB 3-2(b), I have conducted a *de novo* review of the motion, Report
23 and Recommendation, and related papers. Good cause appearing,

24 **IT IS HEREBY ORDERED** that Magistrate Judge Ferenbach's Report and
25 Recommendation is accepted and approved. However, I note that the discussion in the Report
26 and Recommendation about the rules of the American Arbitration Association (Dkt. #21 at 8:4-
27 11) is inapplicable because the arbitration agreement at issue in this case does not expressly
28 incorporate those rules. Nevertheless, Judge Ferenbach's overall reasoning and conclusion are
still sound, as he points out that the "agreement is not silent on fees and costs," which he
thereafter addresses. (*Id.* at 8:12-18.) The remainder of Magistrate Judge Ferenbach's detailed
analysis is adopted herein.

1 **IT IS FURTHER ORDERED THAT** the Defendants' Motion to Compel Arbitration
2 (Dkt. #15) is GRANTED.

3 **IT IS FURTHER ORDERED** that this action is STAYED pending completion of
4 arbitration, as required by 9 U.S.C. § 3.

5 Dated: October 20, 2014.



6 ANDREW P. GORDON
7 UNITED STATES DISTRICT JUDGE
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